

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

DAVID L. CUNNINGHAM,

Plaintiff,

vs.

THE STATE OF WASHINGTON,
et al.

Defendants.

NO. CV-10-304-RMP

ORDER DISMISSING ACTION FOR
FAILURE TO COMPLY WITH FILING
FEE REQUIREMENTS

By Order filed October 5, 2010, the court directed Mr. Cunningham to either pay the \$350.00 filing fee for this action or to submit a new application to proceed *in forma pauperis*. Mr. Cunningham did not comply with the court's directive and has filed nothing further in this action. Therefore, **IT IS ORDERED** this action is **DISMISSED** for failure to comply with 28 U.S.C. §§ 1914 and 1915(a).

IT IS SO ORDERED. The District Court Executive is directed to enter this Order, enter judgment, and forward a copy to Plaintiff at the address provided. Attorney Moberg shall be notified electronically of this Order. The court certifies any appeal of this dismissal would not be taken in good faith.

DATED this 10th day of November 2010.

s/ Rosanna Malouf Peterson

ROSANNA MALOUF PETERSON
UNITED STATES DISTRICT JUDGE